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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,985	07/29/2003	David D. Bohn	10003188-4	9204

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EXAMINER

DHARIA, PRABODH M

ART UNIT	PAPER NUMBER
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2629

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/629,985

Applicant(s)

BOHN, DAVID D.

Examiner

Prabodh M. Dharia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 17 is/are pending in the application.
- 4a) Of the above claim(s) 16 and 18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15, 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. **Status: Status:** Please all replies and correspondence should be addressed to examiner's new art unit 2629. Receipt is acknowledged of papers submitted on March 09, 2006 under amendments, which have been placed of record in the file. Claims 1-15,17, are pending in this action. Claims 16,18 are cancelled.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 13-15,17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burnett et al. (5,870,080).

Regarding Claims 13, 14, Burnett et al. teaches, an user interface for transferring data between a host computer and another device via an infrared link comprising: an infrared bridge integrated into a pointing device said infrared bridge being communicable with said host computer (Col.4, Line 26 to Col.5, Line 5, Col. 5, Lines 38-60).

However Burnett et al. does not teach specifically a GUI running on host computer, GUI executes at least one function of a plurality of possible functions relating to data that is transferred via IR link in response to the initiation of a data transfer over IR link and a position of a cursor controlled by the pointing device when the data transfer is initiated.

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Since other peripheral like key board, mouse, monitor, printer and the GUI is inheritant to a computer and all of this peripheral can be equipped with IR bridge communication, thus it is obvious to one in ordinary in the skill of art at the time of invention was made to incorporate a GUI running on host computer, GUI executes at least one function of a plurality of possible functions relating to data that is transferred between said device and said host computer via IR bridge and a position of a cursor controlled by the pointing device when the data transfer is initiated. Thus without moving position of the mouse, requested bit map down loaded using other peripheral like key board.

Regarding Claim 15, Burnett et al. teaches, computer includes memory (100 of Figure1, Col. 4, Lines 27,28)

However Burnett et al. does not teach specifically a function is to store data in a file and the pointing device pointing at as a command is processed by host computer.

Since clip board is inheritant to a computer, thus it is obvious to one in ordinary in the skill of art at the time of invention was made to incorporate the clip board to store data in a file; the pointing device pointing at as a command is processed by host computer. Thus stored file on the clip board is carried over to several other applications and a position of a cursor controlled by the pointing device when the data transfer is initiated. Thus without moving position of the mouse, requested bit map down loaded using other peripheral like key board.

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Regarding Claim 17, Burnett et al. also does teach the host computer process the file request command, pointing device is positioned over to peripheral having IR transceiver, and the data file transfers via standard IR communication (Col. 4, Lines 35-42).

4. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burnett et al. (5,870,080) as applied to claim 1-6, 13-15, 17 above, and further in view of Mantha (6,137,487).

Regarding Claim 1, Burnett et al. teaches, a computer (100 of figure 1, Col. 4, Line 26,27) operable method, comprising: Initiating communication between an IR equipped (140 of Figure 1, Col. 4, Line 40,41) and a computer pointing device (120 of figure 1, Col. 4, Line 27) with an IR bridge (or transceiver) (124 of figure 1, Col. 4, Lines 33,34); wherein data is transferable between said computer pointing device and a computer (Col. 4, Line 26 to Col. 5, Line 5) determining what position and command state of the pointing device and processing data according to what command or file pointing device is positioned over and processing data communicated (Col. 6, Lines 34-39) via the IR bridge (140 of Figure 1, Col. 4, Lines 40,41) according to what said graphical object represents. Burnett et al. also teaches, EM pulses are infrared (IR) light and the sensor /emitter positioned on the outside of the device housing to collect and broadcast the IR pulses. Further a transceiver manufactured for IR sensor is to the IR standard proposed by Infrared Data Association ("IRDA") allowing more than one IRDA compatible peripheral to be controlled by the same transceiver in the pointing device attached to a computer (Col.2, Lines 62-67 to Col.3, Lines 1-3, Col. 5, Lines 2-6). Burnett et al. shows

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Figure 1 illustrates the invention using a printer, the use of other similarly equipped peripheral devices will be apparent to those skilled in the art. (Col. 4, Lines 63-67)

However, Burnett et al. fails to recite or disclose specifically determining what graphical object of a graphical user interface associated with said computer a cursor is positioned over; and processing data according to what graphical object represents.

However, Mantha teaches determining what graphical object of a graphical user interface associated with said computer a cursor (Col. 4, Lines 45,46, 52,53, 56-59) is positioned over (Col. 6, lines 39-50, ; and processing data according to what graphical object represents (Col. 6, Lines 12-19).

Thus it is obvious to one in the ordinary skill in the art at the time of invention was made to incorporate teaching of Mantha in teaching of Burnett et al. to able to determine pointing device position over graphical object representation and improve not only data processing also graphical user interface.

Regarding Claim 2, Burnett et al. teaches, a graphical object (Bit map of a command) comprises an Icon (command) and processing comprises taking an action represented by said Icon (Col. 6, Lines 34-39).

Regarding Claim 3, Burnett et al. teaches a computer is equipped with monitor, key board, mouse, memory and processor (Col. 4, Lines 26-28) and a graphical object comprises a screen area and processing comprises transferring between IR equipped device and said computer, where in transferring causes at least one change in said screen area (Col. 6, Lines 34-

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40, Col. 5, lines 38-60, when computer receives any status of malfunctioning of printer device with IR bridge transceiver it always displayed on screen for user to act on).

Regarding Claim 4, Burnett et al. teaches, a graphical object represents a file and processing comprises transferring the file between IR equipped device and a host computer (Col.7, Lines 9-31).

Regarding Claim 5, Burnett et al. teaches, the initiating of communication does not involve a user interfacing with computer pointing device (Col. 6, Line 59-67).

Regarding Claim 6, Burnett et al. teaches, the IR communication between host computer and peripheral (Col. 2, Lines 49-61).

However Burnett et al. does not teach specifically the user action required to initiate the communication.

Since the IR equipped device has to be electrically ready to communicate, information retrieval, and supply needed to operate peripheral, require user action is inheritant to a peripheral, thus it is obvious to one in ordinary in the skill of art at the time of invention was made that to incorporate user action required when initiation of IR communication between host computer and peripheral. Thus failure of communication does not occur.

Regarding Claim 7, Burnett et al. teaches a program storage medium readable by a computer (100 in Figure 1, Col. 4, Lines 26,27) tangibly embodying a program of instructions

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executable by the computer to perform method steps for transferring data from an IR equipped device to said computer via a computer pointing device (120 of Figure 1, Col. 4, Lines 26-42, Col. 6, Lines 55-59, the printer having transceiver (Col. 4, Lines 40,41)) with an integrated IR bridge (Col. 4, Line 26 to Col. 5, Line 5) said method comprising: initiating communication between said IR equipped device (Col. 4, Line 26 to Col. 5, Line 5) and said computer by way of said computer pointing device with an IR bridge determining what graphical object of a graphical user interface a cursor is positioned over (Col. 6, Lines 25-35, Col. 4, Line 26 to Col. 5, Line 5); and processing data according to what graphical object represents (Col. 6, Lines 25-39).

However, Burnett et al. fails to recite or disclose specifically determining what graphical object of a graphical user interface associated with said computer a cursor is positioned over; and processing data according to what graphical object represents.

However, Mantha teaches determining what graphical object of a graphical user interface associated with said computer a cursor (Col. 4, Lines 45,46, 52,53, 56-59) is positioned over (Col. 6, lines 39-50, ; and processing data according to what graphical object represents (Col. 6, Lines 12-19).

Thus it is obvious to one in the ordinary skill in the art at the time of invention was made to incorporate teaching of Mantha in teaching of Burnett et al. to able to determine pointing device position over graphical object representation and improve not only data processing also graphical user interface.

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Regarding Claim 8, Burnett et al. teaches, that a graphical object comprises an icon and processing comprises taking an action represented by the Icon (Col. 6, Lines 34-39).

Regarding Claim 9, Burnett et al. teaches, a graphical object comprises a screen area and processing comprises transferring between said IR equipped device and said screen area (Col. 6, Lines 34-40).

Regarding Claim 10, Burnett et al. teaches, that a graphical object represents a file and processing comprises transferring the file between IR equipped device and a said computer (Col.7, Lines 9-31).

Regarding Claim 11, Burnett et al. teaches, the initiating of communication does not involve a user interfacing with computer pointing device (Col. 6, Line 59-67).

Regarding Claim 12, Burnett et al. teaches, the initiating of communication comprises a user action and not on said, computer-pointing device (Col. 4 Lines 46-52).

Response to Arguments

5. Applicant's arguments filed on 03-09-2006 regarding claim 1,7 have been fully considered but they are not persuasive.

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Applicant argues, cited references fails to teach determining what graphical object of a graphical user interface associated with said computer a cursor is positioned over; and processing data according to what graphical object represents.

Examiner disagrees as Mantha teaches determining what graphical object of a graphical user interface associated with said computer a cursor (Col. 4, Lines 45,46, 52,53, 56-59) is positioned over (Col. 6, lines 39-50); and processing data according to what graphical object represents (Col. 6, Lines 12-19).

6. Applicant's arguments filed 03-09-2006 2006 regarding claim 13 have been fully considered but they are not persuasive.

Applicant argues it would not be obvious for the graphical user interface to execute at least one of a function of a plurality functions relating to data that is transferred between the device and the host computer via the infrared bridge.

Examiner disagrees as Burnett et al. does teach through the IR communication the other peripheral device does transfer data (file or status or command) to host (Col. 4, Lines 47-53). Since peripheral device is not limited to (another mouse as per applicant specification or pointing device) any specific peripherals, it might as well be another computer uploading the graphical files to host to be processed. (US patent # 5,986,644, Herder et al. Col. 3, Lines 44-60, US patent # 5,706,031, Brendzel et al. Col. 3, Lines 11-18, figure 1, where network can uploads graphical data file to host to be processed).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prabodh M. Dharia whose telephone number is 571-272-7668. The examiner can normally be reached on M-F 8AM to 5PM.

9. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

PD

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April 06, 2006



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